

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

**DONNA CAM RYAN, as  
Administrator of the Estate of Korey  
Thomas Ryan, Deceased,**

**Plaintiff,**

**v.**

**NUCOR STEEL TUSCALOOSA,  
INC.; FICTITIOUS PARTY  
DEFENDANT, A, being that person,  
firm, sole proprietorship,  
partnership, corporation, or other  
legal entity which has an ownership  
interest in Nucor Steel Tuscaloosa  
Inc; DEFENDANT B, being that person,  
firm, sole proprietorship, partnership,  
corporation, or other legal entity  
that is legally responsible or  
could be legally responsible under  
*respondeat superior* and/or agency  
and/or under any type of contractual  
relationship and/or under Alabama  
law for the actions of Billy Edwards  
on October 23, 2014, whose identity  
is unknown at this time but will be  
added by amendment when  
ascertained; DEFENDANT C,  
being that person, firm, sole  
proprietorship, partnership,  
corporation, or other legal entity that  
is legally responsible or could be**

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PLAINTIFF DEMANDS  
TRIAL BY JURY**

legally responsible under Alabama \*  
law for the accident which \*  
resulted in the death of Korey \*  
Thomas Ryan, whose identity or \*  
causal connection is unknown at this \*  
time; DEFENDANT D, being that \*  
person, firm, sole proprietorship, \*  
partnership, corporation, or other \*  
legal entity which employed or \*  
had a contractual relationship \*  
with Billy Edwards, \*

Defendants.

## **COMPLAINT**

### **THE PARTIES**

1. The Plaintiff, Donna Cam Ryan, is an adult citizen of Tuscaloosa County and is over the age of nineteen years. Mrs. Ryan resides at 11151 Hillcrest Villa Drive in Tuscaloosa. Mrs. Ryan is the mother of the deceased, Korey Thomas Ryan, and she has been duly appointed as Personal Representative of the Estate of Korey Thomas Ryan. Donna Cam Ryan brings this suit individually and in her own capacity as Personal Representative of the Estate of Korey Thomas Ryan.

2. The Defendant, Nucor Steel Tuscaloosa, Inc., is a foreign corporation by virtue of its being incorporated in Delaware, a state other

than Alabama, and also having its principal place of business in Delaware. The registered agent for service of process upon Nucor Steel Tuscaloosa, Inc. is CT Corporation System, 2 North Jackson Street, Suite 605, Montgomery, Alabama.

3. Defendant, Fictitious Party A, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity which has an ownership interest in Nucor Steel Tuscaloosa, Inc.

4. Defendant, Fictitious Party B, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity that is legally responsible or could be legally responsible under *respondeat superior* and/or agency and/or under any type of contractual relationship and/or under Alabama law for the actions of Billy Edwards on October 23, 2014, whose identity is unknown at this time but will be added by amendment when ascertained.

5. Defendant, Fictitious Party C, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity that is legally responsible or could be legally responsible under Alabama law for the incident which resulted in the death of Korey Thomas Ryan, whose identity or causal connection is unknown at this time.

6. Defendant, Fictitious Party D, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity which employed or had a contractual relationship with Billy Edwards.

### **STATEMENT OF JURISDICTION**

7. The Plaintiff is a citizen of the State of Alabama. The Defendants are corporations incorporated under the laws of the State of Delaware with their principal place of business in the state of Delaware. The amount in controversy, without interest and costs, exceeds the sum of value specified by 28 U.S.C. § 1332.

### **STATEMENT OF THE FACTS**

8. On or about October 23, 2014, Billy Edwards, an employee/agent of Nucor Steel Tuscaloosa, Inc., (hereinafter referred to as Nucor) was working in the line and scope of his employment with Nucor as a crane operator. Mr. Edwards was operating a 30 ton DeShazo Bridge Crane with floor rail system that was owned, operated and controlled by Nucor, and was maintained and repaired and serviced by Nucor. Korey Thomas Ryan was an employee of Onin Staffing, a temporary service agency in Tuscaloosa, and was provided to Nucor by Onin to perform work and was working at the Nucor plant on October 23, 2014 at the time of the

accident. Korey Thomas Ryan was working in the line and scope of his employment with Onin Staffing at the time of the accident but was working at Nucor.

9. On October 23, 2014, Billy Edwards was operating the DeShazo bridge crane and was moving a sheet of steel to the hot bed when one of the wheels of the crane's floor rail system ran over Korey Thomas Ryan's foot. Mr. Ryan's foot was pinned in the wheel of the crane's floor rail system causing Korey Thomas Ryan to be crushed against a steel beam. Korey Thomas Ryan sustained severe and life threatening injuries as a result of the accident and was taken to DCH medical center where he subsequently died from his injuries.

10. On or about October 23, 2014, Defendants, Nucor, and Fictitious Party Defendants A-D, employed Billy Edwards to operate the crane and are responsible for the actions of Billy Edwards either directly and/or under the theory of *respondeat superior*. Billy Edwards was acting as their agent, representative, servant and/or employee. Nucor, and Fictitious Party Defendants A-D are responsible for the maintenance and upkeep and service of the crane. Defendants Nucor and Fictitious Party Defendants A-D, are liable directly for negligence and/or wantonness for

the acts of Billy Edwards and the maintenance and service of the crane; negligent and/or wanton entrustment; negligent and/or wanton hiring; negligent and/or wanton training; negligent and/or wanton supervision of Billy Edwards.

**COUNT ONE**  
**NEGLIGENCE AND/OR WANTONNESS**

11. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

12. On October 23, 2014, The defendants, Nucor and Fictitious Party Defendants A-D were negligent and/or wanton in the operation, maintenance and service of the crane and in causing the wheel of the crane floor rail to come into contact with Korey Thomas Ryan's foot pinning his foot in the floor rail system resulting in his body being crushed against a steel beam. The defendants are responsible for the negligent and/or wanton acts of the Billy Edwards either directly or under the theory of respondeat superior in causing the crane's wheel to come into contact with Korey Thomas Ryan causing him to get pinned against a steel beam and crushed to death.

13. As a proximate result of the defendants' negligent and/or

wanton conduct, Mr. Ryan sustained injuries resulting in his death.

**WHEREFORE, PREMISES CONSIDERED,** Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants, Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

**COUNT TWO**  
**NEGLIGENT/WANTON ENTRUSTMENT**

14. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

15. At the aforesaid time and place, Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly entrusted their DeShazo bridge crane to Billy Edwards with actual and/or constructive knowledge that Billy Edwards was an unqualified and/or an incompetent operator of the Deshazo bridge crane. The defendants knew or should have known, prior to entrusting the crane to the crane operator, that he was unqualified and/or incompetent to operate the crane.

16. As a proximate consequence of the Defendants' negligent

and/or wanton entrustment, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff, Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

**COUNT THREE**  
**NEGLIGENT/WANTON HIRING**

17. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

18. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly hired Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

19. As a proximate cause of Defendants Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey



Thomas Ryan, was fatally injured and damaged as set forth above.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

**COUNT FOUR**  
**NEGLIGENT/WANTON TRAINING**

20. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

21. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly trained Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

22. As a proximate cause of Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

**COUNT FIVE**  
**NEGLIGENT/WANTON SUPERVISION**

23. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.


24. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly supervised, Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

25. As a proximate cause of Defendants Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff Donna Cam

Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

Done this the 26 day of March, 2015.



Emily H. Nelson, ASB-1324-N56E  
Attorney for Plaintiff

**s/Larry W. Morris**

Larry W. Morris, ASB-1192-R80L  
Attorney for Plaintiff

**s/Paul W. Patterson**

Paul W. Patterson, II, ASB-9329-E63P  
Attorney for Plaintiff

**s/J. Michael Comer**

J. Michael Comer, ASB-0580-M71J  
Attorney for Plaintiff

**OF COUNSEL:**

Emily H. Nelson

Morris Haynes Wheelles Knowles & Nelson

3500 Colonnade Parkway, Ste. 100

Birmingham, AL 35243

Telephone: (205) 324-4008

Facsimile: (205) 324-0803

Email: [enelson@mhhlaw.net](mailto:enelson@mhhlaw.net)

Larry W. Morris

Morris Haynes Wheelles Knowles & Nelson

131 Main Street

Alexander City, AL 35010

Telephone: (256) 329-2000

Facsimile: (205) 329-2015

Email: [lmorris@mhhlaw.net](mailto:lmorris@mhhlaw.net)

Paul W. Patterson, II

Patterson Comer Law Firm

1323 Hargrove Road East

Tuscaloosa, AL 35405

Telephone: (205) 507-9091

Fax: (205) 507-1022

[pwp@pattersoncomer.com](mailto:pwp@pattersoncomer.com)

J. Michael Comer

Patterson Comer Law Firm

303 Main Avenue, Suite A

Northport, Alabama 35475

Telephone: (205) 759-3939

Fax: (205) 759-3931

[jmikecomer@yahoo.com](mailto:jmikecomer@yahoo.com)

**JURY DEMAND**

**PLAINTIFF HEREBY DEMANDS TRIAL BY JURY ON ALL ISSUES  
OF THIS CAUSE.**



**Emily H. Nelson**  
Of Counsel

**s/Larry W. Morris**

Larry W. Morris  
Of Counsel

**s/Paul W. Patterson**

Of Counsel

**s/J. Michael Comer**

Of Counsel

**Please serve the Defendant with Summons and Complaint in this  
matter, via certified mail, at the address listed below:**

Nucor Steel Tuscaloosa, Inc.  
c/o Its Registered Agent  
CT Corporation System  
2 North Jackson Street  
Suite 605  
Montgomery, AL 36104